

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, DC 20554

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In the Matter of )  
Implementation of Section 621(a)(1) of )  
the Cable Communications Policy Act of 1984 )  
as amended by the Cable Television Consumer )  
Protection and Competition Act of 1992 )

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MB Docket No. 05-311

**COMMENTS OF THE CITY OF LONG BEACH, CALIFORNIA**

These Comments are filed by the City of Long Beach, California in support of the comments filed by the National League of Cities and the National Association of Telecommunications Officers and Advisors ("NATOA"). Like NLC and NATOA, the City of Long Beach believes that local governments can issue an appropriate local franchise for new entrants into the video services field on a timely basis, just as they have for established cable services providers. In support of this belief, we wish to inform the Commission about the facts of video franchising in our community.

**Cable Franchising in Our Community**

**Community Information**

The City of Long Beach, California covers approximately 52 square miles on the southern coast of Los Angeles County. It has a population of 491,564. Our franchised cable provider is Charter Communications. We have negotiated cable franchises since the first franchise was issued in 1982.

**Competitive Cable Systems**

The City of Long Beach actively encourages and supports competition in video and Internet services. In November 2000, City staff issued a request for proposals (RFP) to solicit and promote cable competition in Long Beach. At that time, newly formed companies offering cable service were seeking franchises in other Southern California cities. The RFP was sent to these cable providers as well as advertised in national industry journals. Unfortunately, the City did not receive any proposals in response to the request.

Verizon California, Inc. has recently initiated a fiber upgrade to its telecommunications infrastructure in Long Beach to deliver enhanced video and high speed Internet services. The company has indicated an interest in obtaining a cable franchise. The City of Long Beach is pleased by the prospect that Long Beach residents will soon have an additional choice in cable services. The City expects to begin franchise discussions with Verizon this month and looks forward to expeditiously establishing a franchise agreement.

## Conclusions

The local cable franchising process functions well in Long Beach, California. As the above information indicates, we are experienced at working with cable providers to both see that the needs of the local community are met and to ensure that the practical business needs of cable providers are taken into account.

Local cable franchising ensures that local cable operators are allowed access to the rights of way in a fair and evenhanded manner, that other users of the rights of way are not unduly inconvenienced, and that uses of the rights of way, including maintenance and upgrade of facilities, are undertaken in a manner which is in accordance with local requirements. Local cable franchising also ensures that our local community's specific needs are met and that local customers are protected.

Local franchises thus provide a means for local government to appropriately oversee the operations of cable service providers in the public interest, and to ensure compliance with applicable laws. There is no need to create a new Federal bureaucracy in Washington to handle matters of specifically local interest.

Finally, local franchises allow each community, including ours, to have a voice in how local cable systems will be implemented and what features (such as PEG access, institutional networks or local emergency alerts, etc.) will be available to meet local needs. These factors are equally present for new entrants as for existing users.

The City of Long Beach, therefore, respectfully requests that the Commission do nothing to interfere with local government authority over franchising or to otherwise impair the operation of the local franchising process as set forth under existing Federal law with regard to either existing cable service providers or new entrants.

Respectfully submitted,

City of Long Beach, California

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